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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

MARKUISE LAMAR DAVIS,

Defendant and Appellant.

C061016

(Super. Ct. No.
08F08685)

In October 2008, Sacramento Police Department patrol officers observed a car being driven by defendant Markuise Lamar Davis.¹ When a records check revealed that the car had been stolen, the officers signaled to defendant to stop. Instead he accelerated, swerved around other cars, failed to stop at stop signs, traveled at high speed, almost lost control of his car, and nearly collided with a parked car. After a distance, defendant jumped from the moving car and fled on foot. The car

¹ Because the matter was resolved by plea, our statement of facts is taken from the probation officer's report.

continued on and struck a city light pole and a parked car before coming to a stop. Defendant was found hiding in some bushes and was taken into custody.

Defendant pleaded no contest to vehicle theft (Veh. Code, § 10851, subd. (a)) and eluding a peace officer with disregard for the safety of others (Veh. Code, § 2800.2, subd. (a)), and admitted three prior vehicle theft enhancements (Pen. Code, § 666.5, subd. (a); further undesignated statutory references are to the Penal Code.) In exchange, three related counts were dismissed. Defendant was sentenced to state prison for two stipulated concurrent terms of three years, awarded 47 days' custody credit and 22 days' conduct credit, and ordered to pay a \$200 restitution fine (§ 1202.4), a \$200 restitution fine suspended unless parole is revoked (§ 1202.45), and a \$20 court security fee (§ 1465.8). Defendant was ordered to make restitution to the victim in the amount of \$1,675.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

NICHOLSON, J.

We concur:

BLEASE, Acting P. J.

CANTIL-SAKAUYE, J.